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EXAMINER

LYTLE, JEFFREY P

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROBERT ALEXANDER CRANE,
CHRISTIAN SHANE DURAN, JOHN AUSTIN KEENUM, and
RODGER ALAN TENHOLDER

Appeal 2015-008133
Application 13/664,998¹
Technology Center 2600

Before MAHSHID D. SAADAT, KRISTEN L. DROESCH, and
MATTHEW J. McNEILL, *Administrative Patent Judges*.

McNEILL, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1–5 and 7–32.² We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ According to Appellants, the real party in interest is Corning Cable Systems LLC. Br. 2.

² Claim 6 is objected to as being dependent upon a rejected base claim, but the Examiner has indicated that claim 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Final Act. 22.

STATEMENT OF THE CASE

Introduction

Appellants' application relates to a line module that includes a module housing configured to receive, in one or more cavities, a removable plug component containing a bridging contact. Abstract. Claim 1 is illustrative of the claimed subject matter on appeal and reads as follows:

1. A Network Interface Device (NID) line module comprising:

a module housing;

a subscriber wire contact located in the module housing and being accessible through one or more cavities extending into the module housing;

a provider wire contact located in the module housing and being accessible through the one or more cavities extending into the module housing; and

a removable plug component separable from the module housing including a bridging contact;

wherein in a first configuration the removable plug component connects to the module housing and the bridging contact contacts the subscriber wire contact and the provider wire contact making an electrical connection between the subscriber wire contact and the provider wire contact when the bridging contact is inserted into the one or more cavities; and

wherein in a second configuration the bridging contact is removed from the one or more cavities, wherein removal of the bridging contact from the one or more cavities causes the removable plug component to be detached from the module housing and causes the electrical connection to be broken.

The Examiner's Rejections

Claims 1–5, 7, 9–17, 20–25, 27, and 29–32 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Vo et al. (US 2007/0160194 A1;

July 12, 2007) (“Vo”) and Liu et al. (US 2006/0063417 A1; Mar. 23, 2006) (“Liu”). Ans. 2–13.

The Examiner adds Vo et al. (US 2002/0106922 A1; Aug. 8, 2002) (“Vo ’922”) to reject claims 8, 19, and 28 (Ans. 13–15) and Lanquist (US 5,671,273; Sept. 23, 1997) (“Lanquist”) to reject claims 18 and 26 (Ans. 15–17).

ANALYSIS

Claim 1

Appellants argue the Examiner erred in rejecting claim 1 as unpatentable over Vo and Liu because neither reference teaches or suggests “wherein removal of the bridging contact from the one or more cavities causes the removable plug component to be detached from the module housing and causes the electrical connection to be broken” (the “removal clause”). Br. 7–9. In particular, Appellants argue the Examiner admits Vo does not teach or suggest the removal clause, instead relying on Liu. App. Br. 7 (citing Final Act. 8). Appellants argue Liu does not teach or suggest the removal clause because Liu teaches removal of the bridging contact would *permit* the removable plug component to be detached from the module housing, but would not *cause* such detachment. Br. 8–9.

Appellants have not persuaded us of Examiner error. First, claim 1 recites removal of the bridging contact causing detachment of the removable plug component from the module housing, but claim 1 does not recite complete detachment. Accordingly, it may be possible for the removable plug component to be partially detached from the module housing such that a portion of the component is detached while a portion of the component

remains attached. Indeed, consistent with this interpretation, the Specification teaches detaching the removable plug component (Spec. ¶¶ 26, 36, 38) and “completely detaching” the removable plug component (Spec. ¶¶ 26, 39). Accordingly, Appellants’ argument is not persuasive because it is not commensurate with the scope of the claims.

Second, even accepting Appellants’ interpretation of the claim, the combination of Vo and Liu teaches or suggests removal of the bridge contacts causing complete detachment of the removable plug component from the module housing, as found by the Examiner. Ans. 19–20 (citing Vo Figs. 17, 19, 23; Liu Figs. 1, 2). Figure 19 of Vo is reproduced below:

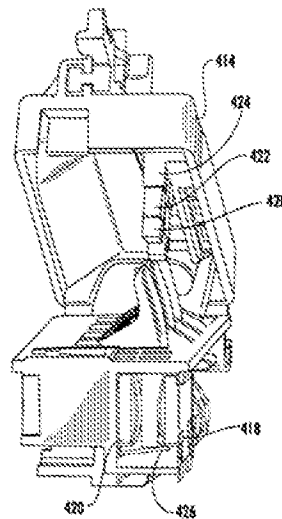


Figure 19 depicts cover 414 is pivotably mounted to base 412, with openings 464 disposed in the top surface of base 412 and bridging contacts 422 extending from cover 414.

Figures 1 and 2 of Liu are reproduced below:

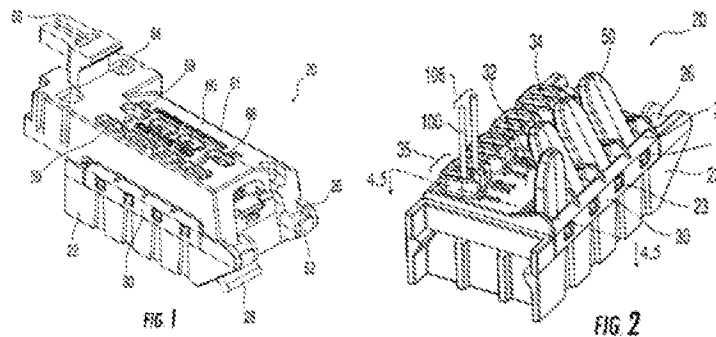


Figure 1 depicts cover 60 in contact with base 22 where hinge arm 62 cooperates with hinge 26 to allow cover 60 to rotate between open and closed positions. Figure 2 depicts base 22 after cover 60 has been removed completely from the base. *See also*, Liu ¶ 54 (“cover 60 . . . may be completely removed from base 22 . . .”). Thus, contrary to Appellants’ argument, Liu teaches removal of the bridging contacts causes the complete detachment of the removable plug component from the module housing.

The Examiner finds, and we agree, an ordinarily skilled artisan would have been motivated to combine Vo’s teaching of disconnecting bridging contacts 422 from contacts 418 and 420 with Liu’s hinge arms 62, which allow complete detachment of the cover from the base. Ans. 19–20. The resulting assembly has a cover that can be removed from the base in a single, continuous action where removal of the bridging contacts causes the removable plug component to be detached from the module housing. *Id.*

On the record before us and in view of the analysis above, Appellants have not persuaded us that the Examiner erred in rejecting claim 1. Accordingly, we sustain the rejection of claim 1. Appellants argue the patentability of independent claim 13 for the same reasons as claim 1. *See* Br. 10. Accordingly, we sustain the rejection of claim 13. We also sustain

the rejection of dependent claims 2–5, 7, 9–12, 14–17, and 20–23, which were not argued separately. *See* Br. 10.

Claim 24

Claim 24 recites:

24. A Network Interface Device (NID) line module, comprising:

a module housing having a test jack area, a subscriber termination point area and a bypass plug area on a face; and

a removable plug component comprising a bridging contact;

wherein the bypass plug area comprises one or more cavities to receive the bridging contact; and

wherein the removable plug component does not cover the subscriber termination point area on the face with the bridging contact received by the one or more cavities.

Appellants argue the Examiner has failed to address the “wherein the removable plug component does not cover the subscriber termination point area on the face” limitation. Br. 10.

Appellants have not persuaded us of Examiner error. The Examiner finds, and we agree, Vo teaches top plate 462 has a plurality of openings 464 for a plurality of actuating arms to pass through. Ans. 23 (citing Vo. Figs. 22, 23). Openings 464 expose portions of the subscriber termination point area on the face. *Id.* These exposed portions are, therefore, not covered by the removable plug component. *Id.* Accordingly, on the record before us and in view of the analysis above, Appellants have not persuaded us that the Examiner erred in rejecting claim 24. Therefore, we sustain the rejection of

claim 24. We also sustain the rejection of dependent claims 25–32, which were not argued separately. *See* Br. 10.

DECISION

We affirm the decision of the Examiner to reject claims 1–5 and 7–32.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED